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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Christine J. Landry-Coltrain, et al

MULTILAYER INKJET RECORDING ELEMENT WITH POROUS POLYESTER PARTICLE

Serial No. 10/028,129

Filed 20 December 2001

Group Art Unit: 1774

Examiner: Pamela R. Schwartz

I hereby certify that this correspondence was sent by facsimile transmission to the United States Patent and Trademark Office on the date set forth below.

Christine Tolhurst
Christine Tolhurst

December 17, 2004
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

SECOND DECLARATION UNDER RULE 132

1. I, Jeffrey W. Leon, state that I am a resident of Rochester, N.Y., in the county of Monroe and am a citizen of the United States. I obtained a Bachelor of Science degree in Chemistry from State University of New York (SUNY) in Albany, NY in 1989. I was an employee of Schenectady Chemicals in Schenectady, New York in 1989 as a resins chemist. I received a PhD in Chemistry from the University of Rochester, Rochester, NY in 1994, relating to photodegradation of polyester coatings. I did Postdoctoral work at Cornell University, in Ithaca, New York, from 1994-1996, relating to synthesis of dendrimeric polymers. I have been an employee of Eastman Kodak Company (hereinafter referred to as Kodak) since 1996. I have been assigned to work in research development relating to synthesis of latex polymer particles and beads, thermoreactive polymers, inkjet receiver media, polyester synthesis, and water-borne coatings.

2. I am one of the co-inventors of U.S. Serial No. US 10/028,129.

3. I have read the Office Action issued on August 17, 2004 and am familiar with the references cited therein.

4. For the method of preparation of the polyester-containing particles of this invention, different emulsification methods are used. It is the choice of emulsification method, which, of all of the reaction parameters, most strongly influences the resulting particle size. Hence different emulsification methods are commonly used to make particles which differ in particle size.

5. Higher shear methods, such as microfluidization, will typically give smaller particles than, for example, homogenization using a Silverson Mixer.

6. After emulsification, a dispersion results which consists of droplets of the ethylenically unsaturated monomer(s) (in this case, divinylbenzene), the polyester, and the porogenic solvent (in this caste, toluene). As the crosslinking reaction is initiated, the droplet becomes a porous microsphere. The composition of the porous microsphere would not be expected to be different if it was formed from a smaller or larger droplet.

7. The microsphere should be the same regardless of the type of emulsification used except that the size will be different. Any scientist trained in the art would expect the composition and porous morphology of the particles to be the same regardless of the type of emulsification used. Only the particle size is affected.

8. To achieve the variety of particle sizes necessary to evaluate the present invention, different emulsification techniques were utilized.

9. I further declare that all statements made herein of my own knowledge are true and that the statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Date: 12/16/04

Jeffrey W. Leon